

REMARKS

Claims 8 – 33 were pending in the application. Applicant has cancelled claim 32 and added claims 35-40. Therefore, claims 8 – 31, 33, and 35-40 are pending in the application.

35 USC §112 Rejections

The Examiner has rejected claim 32 under 35 USC 112, second paragraph, as being indefinite. Applicant respectfully disagrees with the rejection, however, to expedite prosecution, Applicant has cancelled claim 32 and added new claim 40. New claim 40 is believed to comply with 35 USC 112, second paragraph.

35 USC §103 Rejections

The Examiner has rejected claims 8 – 31 and 33 under 35 U.S.C. 103(a) as being unpatentable over Fujita et al. (U.S. Patent 5,774,399) (hereinafter “Fujita”) in view of Inazaki et al. (JP 403083480A) (hereinafter “Inazaki”). Applicant respectfully disagrees with the rejection.

Applicant respectfully disagrees with the Examiner’s apparent characterization of Fujita’s engagement portion 30 as “the device receiver having a portion external to the housing, said portion being configured to enable a restraint to engage the opening in the device to retain the device at the reading station (emphasis added),” as recited in claim 8. Fujita teaches that engagement portion 30 is situated at the *interior* of the housing 17 of the apparatus 12. (Figs. 2 – 7, 9 – 12) Applicant can find no language in Fujita or Inazaki which either separately or in combination, teaches or suggests “the device receiver having a portion external to the housing, said portion being configured to enable a restraint to engage the opening in the device to retain the device at the reading station,” as recited in claim 8.

Accordingly, Applicant respectfully submits that claim 8 is allowable for at least the above stated reason. Claims 9 – 10, 13 – 20, 30 and 31 are dependent upon claim 8, and are likewise believed to distinguish over the cited art for at least the same reason.

Furthermore, claims 11, 24 and 25 recite similar features to claim 8, and are thus believed to patentably distinguish over the cited art for at least similar reasons, along with their respective dependent claims 12, 33 and 26 – 29.

Likewise, Applicant can find no language in Fujita or Inazaki which either separately or in combination, teaches or suggests “a first portion of larger cross-sectional area that defines a protuberance to project from the wall (emphasis added),” or “the first portion further comprising a hole formed in the protuberance, which hole passes between opposite surfaces of the protuberance and traverses the passage for receiving a restraint to engage an opening in a device when the device is received in the device receiver for retaining the device therein (emphasis added),” as recited in claim 21. Accordingly, Applicant respectfully submits that claim 21 is allowable for at least the above reason. Claims 22 and 23 are dependent upon claim 21, and are likewise believed to distinguish over the cited art for at least the same reason.

Furthermore, claim 40 recites similar features to claim 21, and is thus believed to patentably distinguish over the cited art for at least similar reasons.

New Claims

Claims 35, 40 and claims 36-39 dependent on claim 35 are also believed allowable. For example, the cited art does not disclose, teach, or suggest “the second opening at least partially aligns with the first opening when the storage card is inserted into the slot of the system housing” as recited in claim 35.

Conclusion

In light of the foregoing amendments and remarks, Applicants submit that all pending claims are in condition for allowance, and an early notice to that effect is earnestly solicited. If a phone interview would speed allowance of any pending claims, such is requested at the Examiner's convenience.

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505\5681-03900\BNK.

Respectfully submitted,



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Date: December 16, 2003